

1 10A NCAC 27G .0606 is adopted under temporary action as published in NC Register Volume 17, Issue 21,
2 pages 1902-1908, with changes as follows:

3 10A NCAC 27G .0606 COMPLAINTS PERTAINING TO CATEGORY C, CATEGORY D PROVIDERS
4 OR ICF/MR FACILITIES

5 (a) Complaints received by an area authority or county program pertaining to Category A, Category B providers or
6 ICF/MR facilities shall be processed as follows:

- 7 (1) The area authority or county program may mediate complaints for Category C, or Category D
8 providers or ICF/MR facilities.
- 9 (2) The area authority or county program shall ask the complainant to communicate the complaint to
10 the provider to allow the provider an opportunity to resolve the complaint.
- 11 (3) If the complainant does not wish to communicate the complaint to the provider or the complaint
12 remains unresolved, the area authority or county program shall ask the complainant for permission
13 to mediate the complaint.
- 14 (4) If the complainant refuses to give permission for the area authority or county program to mediate
15 the complaint, the area authority or county program shall refer the complaint for investigation to
16 the State or local government agency responsible for the regulation and oversight of the provider.
- 17 (5) If the complaint is mediated, the area authority or county program shall document any resolution.
- 18 (6) During the course of complaint mediation, the area authority or county program may provide
19 technical assistance to the provider in an attempt to offer solutions to address and resolve the
20 complaint.
- 21 (7) If mediation is unsuccessful, the area authority or county program shall refer the complaint for
22 investigation to the State or local government agency responsible for the regulation and oversight
23 of the provider. The area authority or county program shall send a letter to the complainant
24 informing them of the referral and the contact person at the agency the complaint was referred.

25 (b) If the circumstances identified during a complaint reveal that a disabled adult may be abused, neglected or
26 exploited and in need of protective services, the area authority or county program shall initiate the procedures outlined
27 in G.S. 108A, Article 6.

28 (c) If the circumstances identified during a complaint reveal that a juvenile may be abused, neglected or exploited and
29 in need of protective services, the facility shall initiate the procedures outlined in G.S. 7B, Article 3.

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31 *History Note:* Authority G.S. 122C-112.1; G.S. 143B-139.1;

32 *Temporary Adoption Eff. July 1, 2003*